

PUBLIC NOTICE

Notice to Water Users
(Pursuant to Section 85-2-307, MCA)

The following application has been submitted to appropriate water in the State of Montana.

THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION PROPOSES TO GRANT AN APPLICATION FOR BENEFICIAL WATER USE PERMIT. DESCRIBED BELOW ARE THE PERTINENT FACTS WHICH SUMMARIZE THE APPLICATION. THE PRELIMINARY DETERMINATION (PD) DOCUMENTING THE FINDINGS OF FACT AND CONCLUSIONS OF LAW AND ANY CONDITIONS ATTACHED TO THE WATER RIGHT ARE AVAILABLE ON THE INTERNET AT <http://www.dnrc.mt.gov/wrd/>.

OBJECTION DEADLINE: JULY 27, 2018. THE DEPARTMENT CAN ONLY ACCEPT OBJECTIONS FILED ON AN OBJECTION TO APPLICATION, FORM 611. MAIL THE COMPLETED FORM AND THE \$25.00 FILING FEE TO THE DNRC, PO BOX 201601, HELENA, MT 59620-1601 BY THE DEADLINE SPECIFIED. THE FORM IS AVAILABLE ON THE DEPARTMENT'S WEBSITE.

DIRECT ANY QUESTIONS PERTAINING TO THE APPLICATION, TO OBTAIN THE PD OR OBJECTION FORM TO THE WATER RESOURCES OFFICE AT 1371 RIMTOP DRIVE, BILLINGS, MT 59105-1978, PHONE: 406-247-4415, FAX: 406-247-4416.

IF ISSUED, THE RIGHT WILL BE SUBJECT TO PRIOR EXISTING WATER RIGHTS.

Application Number: 43Q 30116484

Owners: LAURIS A BYXBE
3927 KILLDEER LN
BILLINGS, MT 59102

WILLIAM BYXBE
3927 KILLDEER LN
BILLINGS, MT 59102

Priority Date: MARCH 19, 2018 at 04:30 P.M.

Purpose (use): IRRIGATION
STOCK

Maximum Flow Rate: 4.00 CFS

Maximum Volume: 951.55 AC-FT

THE MAX VOLUME INCLUDES 3.4 AF FOR THE INITIAL FILL OF THE FOUR RESERVOIRS AND 2.15 AF FOR ANNUAL EVAPORATION LOSSES.

Maximum Acres: 265.20

Source Name: FLY CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		S2S2	4	2N	30E	YELLOWSTONE
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: PUMP						
2		NE	9	2N	30E	YELLOWSTONE
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: PUMP						
3		W2W2W2	10	2N	30E	YELLOWSTONE
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: PUMP						
THE DIVERSION IS A TRANSITORY PUMP WHICH CAN BE MOVED ANYWHERE ALONG THE STREAM IN THE ABOVE LEGAL DESCRIPTIONS.						

Reservoir: OFF STREAM **Reservoir Name #1**

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
N2NENW		9	2N	30E	YELLOWSTONE

Depth: 24.00 FEET

Surface Area: 0.19 ACRES

Current Capacity: 1.80 ACRE-FEET

Reservoir: OFF STREAM **Reservoir Name #2**

	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
		SENENW	9	2N	30E	YELLOWSTONE
Depth:	11.00 FEET					
Surface Area:	0.13 ACRES					
Current Capacity:	0.57 ACRE-FEET					

Reservoir: OFF STREAM **Reservoir Name #3**

	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
		NWSENW	9	2N	30E	YELLOWSTONE
Depth:	6.75 FEET					
Surface Area:	0.04 ACRES					
Current Capacity:	0.11 ACRE-FEET					

Reservoir: OFF STREAM **Reservoir Name #4**

	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
		SWSENW	9	2N	30E	YELLOWSTONE
Depth:	11.50 FEET					
Surface Area:	0.20 ACRES					
Current Capacity:	0.92 ACRE-FEET					

THE RESERVOIRS CAN BE FILLED FROM ANYWHERE ALONG THE TRANSITORY DIVERSION.

Purpose (Use): IRRIGATION
Irrigation Type: FLOOD
Volume: 944.30 AC-FT
Period of Use: MARCH 15 to NOVEMBER 15
Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	19.80		SWSW	3	2N	30E	YELLOWSTONE
2	70.00		S2SE	4	2N	30E	YELLOWSTONE
3	13.20		SESW	4	2N	30E	YELLOWSTONE
4	31.20		E2NE	9	2N	30E	YELLOWSTONE
5	114.30		NW	9	2N	30E	YELLOWSTONE
6	16.70		W2NWNW	10	2N	30E	YELLOWSTONE
Total:	265.20						

Purpose (Use): STOCK
Volume: 1.70 AC-FT
Period of Use: JANUARY 1 to DECEMBER 31
Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			N2NENW	9	2N	30E	YELLOWSTONE
2			SENENW	9	2N	30E	YELLOWSTONE
3			NWSENW	9	2N	30E	YELLOWSTONE
4			SWSENW	9	2N	30E	YELLOWSTONE

Remarks:

PUBLISHED IN: BILLINGS GAZETTE ON JUNE 13, 2018.